

Message Text

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ORIGIN EA-06

INFO OCT-01 SS-14 ISO-00 NSC-05 NSCE-00 EB-04 TRSE-00
SP-02 L-01 INR-05 CIAE-00 H-01 PRS-01 /040 R

DRAFTED BY EA/J:DFSMITH:EH
APPROVED BY EA/J:WCSHERMAN
EB/ITP/STA:JSPIRO
TREASURY:MR. SUCHMAN
EA:EHEGINBOTHAM

-----081854Z 129226 /53

P 081735Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO PRIORITY

C O N F I D E N T I A L STATE 079031

LIMDIS

E.O. 11652: GDS

TAGS: ETRD, JA

SUBJECT: TV ANTI-DUMPING INVESTIGATION
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1. TREASURY DEP. ASST. SECRETARY SUCHMAN, WITH SMITH
(EA/J) SITTING IN, MET WITH JAPANESE EMBASSY COMMERCIAL
MINISTER KAWAHARA AND FIRST SECRETARY YOKOYAMA APRIL 6
TO UPDATE THEM ON US CUSTOMS INVESTIGATION OF ASSESSMENT
OF DUMPING DUTIES ON JAPANESE TV. SUCHMAN NOTED THAT
INVESTIGATION HAD BEEN INTENSIFIED BECAUSE OF VARIOUS
ALLEGATION INCLUDING US INDUSTRY CRITICISMS IN CONNECTION
WITH THE SEC. 337 TV INVESTIGATION THAT CUSTOMS HAD BEEN
SLOW TO COLLECT DUMPING DUTIES. IN RESPONSE CUSTOMS HAD
RECENTLY BEEN WORKING TO VERIFY TV PRICING INFORMATION
PREVIOUSLY SUBMITTED BY IMPORTERS AND JAPANESE MANU-
FACTURERS IN ORDER TO EXPEDITE ASSESSMENTS. (ASSESSMENTS
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HAVE BEEN MADE ONLY THROUGH 1972.)

2. SUCHMAN REPORTED THAT CUSTOMS COULD NOT AT THIS POINT
SAY THAT IT HAD FOUND EVIDENCE OF EITHER CRIMINAL OR CIVIL
FRAUD OR MALFEASANCE, ALTHOUGH INACCURATE REPORTS TO THIS
EFFECT MIGHT GET INTO THE PRESS. HOWEVER, IN
REVIEWING THE PRICING INFORMATION, INCLUDING REBATES

BY SOME JAPANESE MANUFACTURERS, CUSTOMS HAD CONCLUDED THAT THERE WERE SUFFICIENT INDICATIONS OF POST-1972 DUMPING MARGINS TO WARRANT AN INCREASE IN THE BONDING REQUIREMENTS. AN INSTRUCTION WOULD GO SHORTLY TO CUSTOMS DISTRICT OFFICES THAT IMPORTERS OF RECEIVERS FROM FIRMS FOR WHICH THE DUMPING FINDING IS STILL OUTSTANDING WILL BE REQUIRED TO POST A SPECIAL BOND OF 20 PERCENT OF THE VALUE OF THE MERCHANDISE FOR EACH ENTRY, WHERE THE IMPORTER IS UNRELATED TO THE JAPANESE EXPORTER AND WHERE A RELATED PARTY TRANSACTION IS INVOLVED AND A RESALE PRICE IS DEMONSTRATED. IN THOSE INSTANCES WHERE THE IMPORTER AND EXPORTER ARE RELATED AND NO RESALE PRICE IS LISTED THE VALUE OF THE BOND REQUIRED WILL BE 100 PERCENT OF THE CUSTOMS VALUE. SUCHMAN SAID THAT HE UNDERSTOOD THAT THE LATTER CATEGORY DID NOT CONSTITUTE A VERY LARGE PART OF THE TOTAL VOLUME OF IMPORTS.

3. IN RESPONSE TO JAPANESE COMMENT THAT THE 100 PERCENT FIGURE SEEMED UNDULY HIGH, SUCHMAN POINTED OUT THAT WHEN NO RESALE PRICE IS LISTED, CUSTOMS HAS NO GAUGE FOR A DUMPING DUTY ASSESSMENT. HE AGREED, HOWEVER, TO INQUIRE FURTHER WITH CUSTOMS INTO THE RATE FOR THAT CATEGORY. LATER THE SAME DAY SUCHMAN CALLED YOKOYAMA TO EXPLAIN THAT THE REQUIREMENT FOR A BOND EQUAL TO THE VALUE OF THE IMPORTED MERCHANDISE IN THE CIRCUMSTANCES DESCRIBED ABOVE IS AN EXISTING STATUTORY REQUIREMENT AND THAT CUSTOMS HEADQUARTERS IS MERELY CALLING IT TO THE ATTENTION OF FIELD OFFICES FOR ALL OUTSTANDING DUMPING

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FINDINGS. SOME CUSTOMS DISTRICT DIRECTORS HAVE APPARENTLY NOT UNDERSTOOD THE MANDATORY NATURE OF THIS REQUIREMENT.

4. SUCHMAN INFORMED THE JAPANESE THAT CUSTOMS WOULD BE APPROACHING MITI SOON IN CONNECTION WITH REVERIFYING PRICING INFORMATION LISTED BY IMPORTERS OF JAPANESE TV'S.

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Copy: SINGLE
Sent Date: 08-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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